

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

THE WESTERN AND SOUTHERN LIFE	:	
INSURANCE COMPANY, <i>et al.</i> ,	:	
	:	Case No. 3:21-cv-59
Plaintiffs,	:	
	:	Judge Thomas M. Rose
v.	:	
	:	
JAMIE NEELY, individually and on behalf of	:	
minors, B.N. and W.N., <i>et al.</i> ,	:	
	:	
Defendants.	:	

**ENTRY AND ORDER GRANTING LEAVE TO DEPOSIT INTERPLEADER
FUNDS**

The Court has reviewed the Brief filed by Plaintiffs (Doc. No. 22). Defendants did not file a brief in response to the Court’s briefing schedule (Doc. No. 21), and the time to do so has now passed. The Court **GRANTS** Plaintiffs’ request for leave to deposit the Interpleader Funds with the registry of the Southern District of Ohio at Dayton within 30 days of entry of this Order.

If Plaintiffs deposit the funds in accordance with 28 U.S.C. § 1335(a)(2) and this Order (which will alleviate the Court’s concerns regarding subject-matter jurisdiction), then the Court **ORDERS** Plaintiffs to file a Notice with the Court informing the Court that they have done so. Once the Court receives that notice then, in accordance with Plaintiffs’ statement that “[i]f the Court has any further concerns, Plaintiffs would welcome an opportunity to address them” (Doc. No. 22 at PageID 325), the Court will enter an Order that addresses the parties’ joint motion (Doc. No. 20), explain its concern(s), and provide an opportunity for the parties to address the concern(s) and for Plaintiffs to file a motion for attorney’s fees as indicated in their brief (Doc. No. 22 at PageID 324) if they wish to do so.

DONE and **ORDERED** in Dayton, Ohio, this Monday, October 18, 2021.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE